IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION.

SECOND APPEAL NO.802 OF 2005
With
Civil Application No.353 of 2004

Nathu Shankar Pandharkar and ors .. Appellants.
Vs
Smt Narmadabai Nivrutti Pandarkar, .. Respondent

Mr A.V.Anturkar i/b Mr Sangram P Pawar, for the appellants.
Mr R.A.Thorat, for the respondent.

CORAM : D.B.BHOSALE,J.
DATE : 09.01.2007.

PC:

1. Heard the learned counsel for the parties.

2. In the present appeal, the courts below have concurrently held that there was sufficient nucleus of the joint family, out of which the property at sr nos 1(a)(3), 1(a)(4) and 1(a)(5) were purchased. The learned counsel for the appellants confined the challenge in this appeal to these properties. I perused the impugned judgments and other material placed before me and I find absolutely no error in the findings recorded by the appellate court and in particular paragraph 14 thereof holding that in any case these properties cannot be said to be the self-acquired properties of Shankar and that they are also liable to be partitioned. I am satisfied that the case involves

no substantial question of law. Keeping that in view and considering the concurrent findings of facts and as I find that there is sufficient material on record to sustain those findings and considering the extremely limited jurisdiction of this Court under section 100 of C.P.C to disturb the findings of fact, this appeal fails and is dismissed as such. As a consequence thereof, the civil application is disposed of.

(D.B.BHOSALE,J.)